

Remarks

This is in response to the final Office Action mailed on January 7, 2004. Reconsideration and allowance are respectfully requested in view of the following remarks.

Preliminarily, Applicants wish to thank the Examiner for the courtesy extended to Applicants' representative, Robert A. Kalinsky, during the telephonic interview of May 28, 2004. During the interview, Figures 1 and 3 of Gage et al., U.S. Patent No. 5,796,688, were discussed. No agreement regarding the allowability of the claims was reached during the interview.

Turning now to the Office Action, claims 1-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gage et al., U.S. Patent No. 5,796,688. This rejection is respectfully traversed for at least the following reasons.

Claim 1 recites a plurality of optical heads provided on a same side with respect to a recording medium and assigned to reproduce information from and record information in different recording layers respectively and simultaneously.

Figure 1 of Gage illustrates a disk structure including recording media that are accessible from both sides of the disk. This configuration is well-known in the art and has been used, for example, since the early 1980s for laser disks and similar media. In practical use of such media, both sides of the disk are not used simultaneously, but are instead used alternatively. There is no suggestion that Gage has extended this conventional configuration to one in which a plurality of heads is assigned to reproduce information from and record information in different recording layers respectively and simultaneously, as recited by claim 1.

Figure 3 of Gage illustrates optical heads 21a and 21b provided on a same side with respect to a recording medium. Optical head 21a reads from the recording medium, while optical head 21b both reads from and writes to the recording medium. See Gage, Figure 3 (with head 22a labeled "READ ACTUATOR" and head 22b labeled "R/W ACTUATOR"); Figures 4 and 4b (describing "READ HEAD 21a" and "R/W HEAD 21b"); Table 1 (head 21a only reads "R," while head 21b both reads "R" and writes "W"); and col. 5, ll. 28-34. Therefore, Figure 3 of Gage fails to show or suggest a plurality of optical heads assigned to reproduce information from and record information in different recording layers respectively and simultaneously, as recited by claim 1.

Further, assuming for the purposes of this response only that Figures 1 and 3 of Gage can be combined, the resulting configuration would presumably result in a two-sided recording

medium with a read head 21a and a read/write head 21b arranged on each side of the medium. Therefore, even if Figures 1 and 3 of Gage could be combined, such a combination would not result in a plurality of optical heads provided on a same side with respect to the recording medium and assigned to reproduce information from and record information in different recording layers respectively and simultaneously, as recited by claim 1.

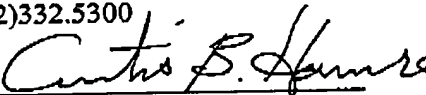
For at least these reasons, Gage fails to render claim 1 obvious under section 103(a). Reconsideration and allowance of claim 1, as well as claims 2-5 that depend therefrom, are respectfully requested.

Favorable reconsideration in the form of a Notice of Allowance is respectfully requested. The Examiner is encouraged to contact the undersigned attorney with any questions regarding this application.

Respectfully submitted,

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